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# Fax INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Joseph P. Hir - Art Unit 2121	Client:	1372.61.PRWOUS
Fax:	(703)746-7239	Pages:	4 including coversheet
Phone:	(571) 272-3685	Date:	October 22, 2004
Re:	USSN 09/940,878	CC:	University of South Florida (Assignee)

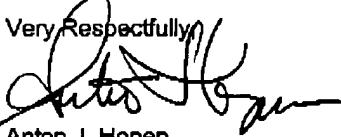
Urgent     For Review     Please Comment     Please Reply     Please Recycle

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Dear Examiner Hir:

In response to the non-final office action mailed September 27, 2004, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 22, 2004 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,  


Anton J. Hopen  
Reg. No. 41,849

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Practitioner's Docket No. 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis

)

Serial No.: 09/940,878

)

Art Unit: 2121

Filed: 08/29/2001

)

Examiner: Joseph P. Hirl

For: Methods for Classifying Objects and  
Identifying Latent Classes

)

Confirmation: 5633

Faxed to Technology Center 2100 at (703) 746-7239  
 Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

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## AMENDMENT TRANSMITTAL

- Transmitted herewith is a Response To Election/Restriction Requirement for this application.

## STATUS

- Applicant is an independent inventor. A statement was already filed.

## EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.  
 Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## SIGNATURE OF PRACTITIONER

Anton J. Hopen  
 Smith & Hopen, P.A.  
 15950 Bay Vista Drive, Ste. 220  
 Clearwater, FL 33760  
 (727) 507-8558

Reg. No.: 41,849  
 Customer No.: 21,901

## CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004

Charlene Morgan

(Amendment Transmittal—page 1)

Practitioner's Docket No.: 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis )  
Serial No.: 09/940,878 ) Art Unit: 2121  
Filed: 08/29/2001 ) Examiner: Joseph P. Hirl  
For: Method for Classifying Objects and ) Confirmation: 5633  
Identifying Latent Classes )

Faxed to Technology Center 2100 at (703) 746-7239  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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OCT 22 2004

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed September 27, 2004, having a shortened statutory period for response set to expire October 27, 2004 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

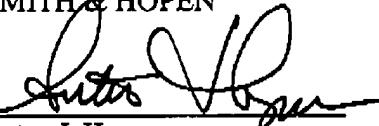
Applicant elects to prosecute claims 21-36, drawn to molecular biology processes, classified in class 435, subclass 4. The claims readable thereon are claims 21-36. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH &amp; HOPEN

By: 

Anton J. Hopen  
Suite 220  
15950 Bay Vista Drive  
Clearwater, FL 33760  
(727) 507-8558  
Attorneys for Applicant

Dated: October 22, 2004

pc: University of South Florida (Assignee)

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**CERTIFICATE OF FACSIMILE TRANSMISSION**  
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004

Charlene Morgan  
Charlene Morgan